

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LAWRENCE LAMB,

Plaintiff,

v.

No. 1:22-CV-00485

**JOSE CORDERO, CHRIS MARQUEZ
and the NEW MEXICO CORRECTIONS DEPARTMENT,**

Defendants.

NOTICE OF REMOVAL OF ACTION

COME NOW Defendants Jose Cordero, Chris Marquez and the New Mexico Corrections Department, by and through counsel of record, Kennedy, Moulton & Wells, P.C., by Debra J. Moulton, and removes the above captioned matter, filed in the First Judicial District Court, County of Santa Fe, State of New Mexico, **D-101-CV-2021-01382** to the United States District Court for the District of New Mexico on the following grounds:

1. On June 9, 2022, Plaintiff filed his First Amended Complaint with the First Judicial District Court. A true and correct copy of the First Amended Complaint is attached hereto as Exhibit A.
2. In his Amended Complaint, Plaintiff expressly makes claims of violations of his civil and constitutional rights under 42 U.S.C. § 1983, specifically of his Eighth Amendment rights.
3. Given Plaintiff's express federal claims, this case may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441, 1443 and 1446.
4. Less than thirty (30) days have passed since Defendant received a copy of the initial pleadings in this matter. This Notice of Removal, therefore, is timely filed pursuant to 28

U.S.C. § 1446(b).

5. Written notice of the filing of this Notice of Removal will be served on Plaintiff promptly after it is filed.

6. A Notice of Filing Notice of Removal, along with a true and correct copy of this Notice of Removal, will be filed with the Clerk of the First Judicial District Court, County of Santa Fe, State of New Mexico, promptly after the filing of this Notice of Removal.

7. Venue is proper in this Court.

8. Consent to removal has been received from all Defendants.

Respectfully Submitted,

KENNEDY, MOULTON & WELLS, P.C.

/s/ Debra J. Moulton
DEBRA J. MOULTON
Attorneys for Defendants
2201 San Pedro NE, Bldg.3, Suite 200
Albuquerque, New Mexico 87110
(505) 884-7887

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via electronic mail to:

Steven Robert Allen
New Mexico Prison & Jail Project
3800 Osuna Rd. NE, Ste. 2
Albuquerque, NM 87109
steve@nmpjp.org

Adam S. Baker
Baker Law Office, LLC
P.O. Box 784
Santa Fe, NM 87504
abaker@bakerlawoffice.net

on this 1st day of July, 2022.

/s/ Debra J. Moulton
DEBRA J. MOULTON